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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/539,142

02/10/2006

Paolo Speggiorin

C&P-143US

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EXAMINER

BAXTER, GWENDOLYN WRENN

ART UNIT

PAPER NUMBER

3632

MAIL DATE

DELIVERY MODE

06/30/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/539,142	Applicant(s) SPEGGIORIN, PAOLO	
	Examiner Gwendolyn Baxter	Art Unit 3632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,4,5 and 11 is/are rejected.
- 7) ☒ Claim(s) 2,3 and 6-10 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>6/16/05</u> . | 6) <input type="checkbox"/> Other: ____. |

This is the first office action for application serial number 10/539,142, Foot for Optical or Photographic Supports, filed February 10, 2006. Claims 1-11 are pending.

Priority

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

Information Disclosure Statement

The information disclosure statement filed June 16, 2005 has been placed in the application file, and the information referred to therein has been considered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4, 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,526,334 to Rantakari. Rantakari teaches an understructure or foot comprising telescopic members (4, 5), a releasing means (16, 20, 42, 44), a expandable ring (10), a expander body (18) and barrel rollers (12-14). A telescopic rod has several telescopic members. The expanding stop mechanism is mounted on one telescopic member and acts on the other telescopic member in order to block their

relative sliding motion in a first direction of two directions of relative sliding motion and to release the relative sliding motion in the other of the two directions. The means for the release on command of the stop mechanism for releasing on command the relative sliding motion in the first direction. The stop mechanism includes the radially expandable ring and the expander body for the ring for pressing the elements of the ring radially against the inner shell of the other telescopic member as a consequence of a relative movement between the ring and the expander body. The ring comprises a plurality of barrel rollers having an outer shell with a curvature coinciding substantially with the curvature of the inner shell of the other telescopic member. A resilient means (15) acts between the ring of rollers. The expander body is provided in order to impose a resilient preloading on the rollers by means of the expander body sufficient to apply friction to the relative sliding between the telescopic members. The stop mechanism comprises a stopper (34, 36) mounted at one end of an inner telescopic member. A sleeve (32) is capable of sliding in the stopper. The expander body includes a conical ring capable of being positioned between the rollers and the sleeve as a consequence of the load weighing on the telescopic members in the first direction. The stop mechanism comprises a stopper (34, 36) mounted at one end of an inner telescopic member of the pair. A sleeve (32) is capable of sliding in the stopper. The expander body includes a conical ring capable of being positioned between the rollers and the sleeve as a consequence of the load weighing on the telescopic members in the first direction. However, Rantakari fails to teach a secondary telescopic member and fails to teach the position of the resilient means between the stopper and the sleeve. It would

have been obvious to one having ordinary skill in the art at the time the invention was made to have provided a secondary telescopic member, since it has been held that the mere duplication of essential working parts of a device involves only routine skill in the art. Additionally, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have made the resilient means between the stopper and sleeve, since it has been held that rearranging parts of an invention involves only routine skill in the art.

Allowable Subject Matter

Claims 2, 3, and 6-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Angell 2,529,861; Lanza 3,807,574; Karapita 4,073,456; and Hsieh 7,204,466 teach telescopic members having a lock releasing means.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gwendolyn Baxter whose telephone number is 571-272-6814. The examiner can normally be reached on Tuesday-Thursday, 8:30am -3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3632

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gwendolyn Baxter/
Primary Examiner, Art Unit 3632
June 23, 2008